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## RULES OF THE HOUSE.

### TOUCHING THE DUTY AND RIGHTS OF THE SPEAKER.

1. He shall take the chair every day at the hour to which the House shall have last adjourned, and immediately call the members to order. If a quorum be in attendance, he shall cause the journals of the preceding day to be read, which may then be corrected by the House.

2. He shall preserve order and decorum; may speak to points of order in preference to members, rising from his seat for that purpose; he shall decide questions of order, subject to an appeal to the House made by any two members, on which appeal no member shall speak more than once, unless by leave of the House.

3. He shall rise to put a question, but may state it while sitting.

4. Questions shall be distinctly put in this form, to-wit: "As

many of you as are of the opinion that—(as the question may be) say aye," and after the affirmative voice is expressed, "As many as are of a contrary opinion, say no." If the Speaker doubts, or if a division be called for, the House shall divide: those in the affirmative of the question shall rise from their seats, and remain standing until the clerk has numbered them, and the number has been announced by the Speaker. Those who vote in the negative are then requested to rise, and they are numbered, and the number announced. The yeas and nays may be called for before the decision of the Speaker is announced.

5. The Speaker shall have the right to examine and correct the journal before it is read. He shall have the right to name any member to perform the duties of the chair, but such substitution shall not extend beyond an adjournment.

6. In all cases of election by the House, the Speaker shall vote; in other cases he shall not be required to vote, unless the House be equally divided, or unless his vote, if given to the minority, will make the division equal, and in case of such equal division, the question shall be lost, except on a question of adjournment.

7. All committees, and the chairmen of the same, shall be appointed by the Speaker, unless otherwise specially directed by the House, in which case they shall be elected by the House; and if, upon such vote, the number required shall not be elected by a majority of the votes given, the House shall proceed to a second vote, in which a plurality shall prevail; and in case a greater number than that required to compose or complete a committee shall have an equal number of votes, the House shall take another vote.

8. All acts, addresses, and joint resolutions shall be signed by the Speaker, as required by the Constitution; and all writs, warrants, and subpoenas, issued by order of the House, shall be under his hand, and attested by the clerk.

9. In case of any disturbance or disorderly conduct in the galleries, the Speaker (or chairman of the whole House) shall have power to order the same to be cleared.

#### RULES OF DECORUM AND DEBATE.

10. When any member is about to speak in the debate, or deliver any matter to the House, he shall rise from his seat, and respectfully address himself to "Mr. Speaker."

11. If any member, in speaking or otherwise, transgress the rules of the House, the Speaker shall, or any member may,

call him to order; in which case the member so called to order shall immediately sit down, unless permitted to explain; and the House shall, if appealed to, decide on the case, but without debate. If the decision be in favor of the member called to order, he shall be at liberty to proceed; if the decision be against him, and the case requires it, he shall be liable to the censure of the House.

12. When two or more members happen to rise at once, the Speaker shall name the one who is first to speak, and his decision shall be final, and not open to debate or appeal.

13. No member shall speak more than twice, either in the House or in committee of the whole, on the same question, nor more than half an hour in the House, or one hour in committee of the whole, without leave of the House, nor more than once until every member choosing to speak shall have spoken. But the mover of any proposition shall have the right of opening and closing the debate; and in case the proposition comes from any committee, then the member making the report from the committee shall have the right to open and close the debate in like manner.

14. While the yeas and nays are being called, or votes are being counted, no member shall visit the clerk's table or leave his seat.

15. No member shall vote on any question in the determination of which he is immediately interested, nor in any case where he was not within the bar of the House when the question was put; and, when any member shall ask leave to vote, the Speaker shall propound to him the question: "Were you within the bar when the motion was put?"

16. Any member may call for a division of a question when the same will admit of it.

17. Upon a division and count of the House upon any question, no member without the bar shall be counted.

18. Every member who shall be in the House when the question is put shall give his vote, unless the House, for reasons assigned, shall excuse him. No member shall be allowed to make any explanation of a vote he is about to give, or ask to be excused from voting, after the clerk, under the order of the House, shall have commenced calling the yeas and nays.

19. All questions relating to the priority of business shall be decided without debate.

20. There shall be no smoking, eating, or cracking nuts allowed in the House during its sitting.

## ORDER OF BUSINESS FOR THE DAY.

21. As soon as the journal is adopted, the unfinished business of the House, if any there be, shall be disposed of, then the Speaker shall call for petitions and memorials; the petitions and memorials having been presented, shall be disposed of as follows: *First*, by motion to reject; *second*, to lay on the table; *third*, to postpone to a day certain; *fourth*, to commit; *fifth*, to postpone indefinitely.

The order of commitment shall be to: *First*, the appropriate standing committee; *second*, the Committee of the Whole House; *third*, a select committee.

After memorials and petitions are disposed of, then bills and resolutions shall be in order for one hour, if not sooner disposed of; then reports from standing committees shall be called for in regular order, and, when made and read, shall go upon the Speaker's table among the orders of the day, in their regular order, according to their numbers; then reports from special committees shall be called for, which reports shall be acted upon at the discretion of the House. After petitions, bills, resolutions, and reports from committees have been disposed of, the House shall proceed to the orders of the day, and the Speaker shall announce the same as follows: *First*, simple resolutions; *second*, messages and executive communications; *third*, messages from the Senate and Senate amendments; *fourth*, bills on their third reading; *fifth*, bills on their second reading; *sixth*, bills on their first reading.

After the business on the Speaker's table has been reached, no new business shall be introduced without leave of the House.

The order of the day shall always have precedence when the hour for considering the same has arrived.

## RULES OF THE HOUSE.

22. No bill shall have the force of a law until it has been read on three several days in each House, and free discussion allowed thereon; but in cases of imperative public necessity (which necessity shall be stated in a preamble, or in the body of the bill), four-fifths of the house in which the bill may be pending may suspend this rule, the yeas and nays being taken on the question of suspension, and entered upon the journals.

All bills for raising revenue shall originate in the House of Representatives, but the Senate may amend or reject them as other bills.

23. After a bill has been considered and defeated by either house of the Legislature, no bill containing the same substance shall be passed into a law during the same session. After a resolution has been acted on and defeated, no resolution containing the same substance shall be considered at the same session.

24. A bill may be introduced without motion for leave to bring in a bill.

25. All bills before the House shall be taken up and acted upon in the order in which they are numbered, and it shall be the duty of the chief clerk to number every bill in its regular order, upon its first reading.

26. On the first reading of a bill or joint resolution, it shall be referred.

27. Bills, resolutions, and other papers referred to committees, shall be taken up and acted upon by the committees in the order in which they were referred, and shall be reported back to the House within ten (10) days from the dates of their respective reference, unless the House shall grant a committee additional time for the consideration of a paper referred to it.

28. After a committee has reported on a bill, amendments shall be in order. If no amendments are made, or if those proposed are adopted, then the final question upon the second reading of every bill or resolution originating in the House, and requiring three readings previous to its being passed, shall be, whether it shall be engrossed and read a third time; and bills ordered to be engrossed shall go on the calendar in their regular course. A bill lost at the second reading shall stand as being indefinitely postponed.

29. All bills and joint resolutions which have passed their second reading, and are ordered to be engrossed, shall be presented to the House for their third reading, written in a fair, legible hand, without erasures, interlineations, or additions in the margin thereof.

30. When a bill shall have been committed on its third reading, and reported to the House with amendments, it shall take the course of a bill at its second reading, unless the amendments were made in committee of the whole, in which case the House shall immediately proceed to act on the bill; but when a bill has been committed once at its reading, it shall not be in order to recommit it again more than once, unless for some special amendment proposed, and then only by consent of two-thirds present; *provided*, that this shall not apply to bills committed on third reading and reported to the House with amendments.

31. All bills of a general character, when reported favorably by a committee, shall, on the recommendation of such committee, be printed, and a copy laid on the desk of each member before the bill is acted on by the House. All other bills, resolutions, reports, memorials, and petitions shall be printed on the order of the House.

32. When a bill shall pass, it shall be certified by the clerk, noting the day of its passage at the foot thereof.

#### SIMPLE RESOLUTIONS.

33. When resolutions are called for, the member offering a resolution shall rise in his place and say: "Mr. Speaker, I offer the following resolution." The Speaker shall then say: "The gentleman from —— offers the following resolution." The resolution will be read. As soon as the clerk shall have read the same, the Speaker shall say: "What order will the House take on the resolution?" If the second reading of the resolution is called for, the Speaker shall say: "Second reading of the resolution is called. If there is no objection, the resolution will be read a second time." If objection be made to the second reading, it shall be in order for any member to move for second reading, which, if carried, the resolution shall be read again, and it will then be before the House for amendment, adoption, or rejection. If the second reading is not moved, the resolution shall lie over until the following day, when it will come up as business on the Speaker's table.

#### CONCURRENT RESOLUTIONS.

34. Concurrent shall take the same course as simple resolutions.

Concurrent resolutions are defined as those which only require concurrence on the part of the Senate, and do not require the approval of the Governor.

#### MOTIONS.

35. No motion or proposition on a subject different from that under consideration, shall be admitted under color of amendment, or as a substitute for the motion or proposition under debate.

36. When a motion has been once made and carried in the affirmative or negative, it shall be in order for any member of the majority, or prevailing side, to move for a reconsideration thereof; *provided*, it is made on the same day, or the next sitting day, before the order of the day is taken up.

37. When the reading of a paper is called for, and the same is objected to by any member, the House shall determine whether said paper shall be read or not.

38. If a pending question be not disposed of, owing to an adjournment of the House, and be received on succeeding day, no member who has spoken twice on the day preceding shall be allowed to speak again without leave.

39. When motions are made for the reference of a subject to a select or a standing committee, the question for the reference to a standing committee shall be put first.

40. When a motion is made and seconded, it shall be stated by the Speaker; or, being in writing, it shall be handed to the chair and read aloud by the clerk before debated.

41. Every motion shall be reduced to writing if the Speaker or any member desire it.

42. After a motion is stated by the Speaker, or read by the clerk, it shall be deemed to be in possession of the House, but may be withdrawn by the mover with the consent of the member who may have seconded the proposition.

43. When a question is under debate, no motion shall be received, but: *First*, to adjourn; *second*, to lie on the table; *third*, for the previous question; *fourth*, to postpone to a day certain; *fifth*, to commit; *sixth*, to amend; or, *seventh*, to postpone indefinitely.

Which several motions have precedence in the order in which they are arranged; *provided*, no bill shall be tabled until after reference to and report from a committee, and no motion to postpone to a day certain, to commit, or to postpone indefinitely, being decided, shall be again allowed on the same day, at the same stage of the bill or proposition. A motion to strike out the enacting words of a bill shall have precedence of a motion to amend, and, if carried, shall be considered equivalent to its rejection.

#### PREVIOUS QUESTION.

44. The previous question shall be put in this form: "Shall the main question now be put?" It shall only be admitted when seconded by fifteen (15) members present, and, when carried, its effect shall be to put an end to all debate, and to bring the House to a direct vote: *First*, upon the pending amendment, and so on back to the first amendment offered; *second*, upon amendments reported by a committee, if any; *third*, upon the main question.

45. A call of the House shall not be in order after the previous question is seconded, unless it shall appear, upon actual count by the Speaker, that no quorum is present.

46. On a motion for the previous question there shall be no debate. All incidental questions of order arising after a motion is made for the previous question, and pending such motion, shall be decided, whether on appeal or otherwise, without debate. After a call for the previous question has been sustained by the House, the question shall be put and determined in order as above, without debate on either amendments or the main question, and no motion to adjourn shall be in order after the previous question is seconded until the final vote upon the main question shall be taken.

47. A motion for the previous question shall not be laid on the table.

48. The previous question cannot be applied to the motions to postpone to a day certain, or indefinitely, or to commit, or that a motion be ordered to lie on the table. Nor can these motions be put upon the motion for the previous question.

#### BAR OF THE HOUSE.

49. In order to be entitled to vote, and to be within the bar of the House, a member must be on the floor of the hall, and within the walls enclosing the same, and not outside any of the doors leading out of the hall, and he must vote from his seat.

50. No person shall be admitted within the bar of the House but members of the Senate, officers of the general or State government, and heads of departments.

#### CALL OF THE HOUSE.

51. Any fifteen members (including the Speaker, if there be one) shall be authorized to compel the attendance of absent members; but this rule shall not be construed as repealing or conflicting with the provisions of Rule No. 45.

Upon a call of the House, whenever all the members shall be present, except those excused, or absent by authority of the House, the call shall be considered suspended, but, until the House is full, or the call suspended, the Chair will proceed with the regular order of business; but no member shall be permitted to leave the hall until the subject matter upon which the call was ordered, shall be disposed of, without permission of the Speaker; and immediately upon the House being declared full, it shall take up the business upon which the call was ordered.



NAMES TO BE CALLED ALPHABETICALLY.

52. Upon calls of the House, and in taking the yeas and nays on any question, the names of the members shall be called alphabetically.

ADJOURNMENT.

53. A motion to adjourn, except as hereinbefore provided in Rule 46, and a motion to fix the day to which the House shall adjourn, shall always be in order. These motions, and the motion to lie on the table, shall be decided without debate.

RULES SUSPENDED OR CHANGED.

54. No standing rule or order of the House shall be rescinded or changed without one day's notice being given of the motion thereof. Nor after such notice, shall any rule be rescinded or changed, except by a vote of two-thirds of the members present. Neither shall any rule of the House be suspended, nor the order of business as established by the rules of the House, be postponed or changed, except by a vote of at least two-thirds of the members present.

WHERE RULES ARE SILENT.

55. On any question of order or parliamentary practice, where these rules are silent or inexplicit, Jefferson's Manual, or Barclay's or Smith's Digest of Parliamentary Law shall be considered as authority.

ABSENTEES.

56. No member shall absent himself from the sittings of the House without leave, unless in case of sickness; and every member absenting himself without leave, shall for each day of absence, forfeit the pay allowed him by law.

It shall require a two-thirds vote of the members present to excuse absentees, and no member shall be excused upon his own motion.

57. The names of absentees shall appear upon the journals.

JOURNAL.

58. The proceedings of the House, when not acting in committee of the whole, shall be entered on the journal, as concisely as possible, care being taken to detail a true and accurate account of the proceedings.

59. Every vote of the House shall be entered on the journal,

with a concise statement of the question; and a brief statement of the contents of each petition, memorial, or paper presented to the House shall also be inserted on the journal.

#### SERGEANT-AT-ARMS.

60. It shall be the duty of the sergeant-at-arms to attend the House during its sittings; to have charge of the chamber of the House of Representatives, subordinate to the Speaker, and the committee rooms and offices belonging thereto; to keep the same in order, and to execute the commands of the House from time to time, together with all such process, issued by authority thereof, as shall be directed to him by the Speaker.

#### CLERKS.

61. The chief or assistant clerk shall rise and remain standing whilst reading any documents to the House.

62. The assistant clerk of the House shall, in the event of the absence, resignation, or death of the chief clerk, take charge of and attend to all the duties of the office until his successor shall be elected.

63. No extra compensation shall be allowed to any clerk or other officer of the House.

#### REPORTERS.

64. Reporters shall be assigned appropriate and convenient seats in the House, by direction of the Speaker.

#### WITNESSES.

65. The rules for paying witnesses summoned to appear before the House or any of its committees, shall be as follows: For each day a witness shall attend, the sum of two dollars; for each mile he shall travel in coming to or going from the place of examination, the sum of twelve and a half cents each way; but nothing shall be paid for traveling home when the witness was at the place of trial when summoned. The certificate of the chairman of the committee before which a witness is summoned, shall be sufficient authority for the same to be paid.

#### COMMITTEE OF THE WHOLE.

66. In forming a committee of the whole House, the Speaker shall leave his chair, and a chairman to preside in committee shall be appointed by the Speaker.

67. Upon bills committed to a committee of the whole House,

the bill shall first be read throughout by the clerk, and then again be read and debated by clauses, leaving the preamble to be last considered. The body of the bill shall not be effaced or interlined, but all amendments, noting the page or line, shall be duly entered by the clerk on a separate paper, as the same shall be agreed to by a committee, and so reported to the House. After report, the bill shall again be subject to be debated and amended by clauses, before a question to engross be taken.

68. All amendments made to an original motion in committee of the whole shall be incorporated with the motion, and so reported.

69. In event that the committee of the whole at any sitting, shall, for want of time, fail to complete the amendments proposed on any bill or resolution under their consideration, or desire to postpone the consideration thereof, it may, on motion made at any time in the committee, rise, report progress, and have leave to sit again generally, or at a day certain.

70. All amendments made to a report committed to a committee of the whole House shall be noted and reported, as in the case of bills.

71. No motion or proposition for a tax or charge upon the people shall be discussed the day on which it was made or offered.

72. No sum or quantum of tax or duty, voted by a committee of the whole House, shall be increased in the House, until the motion or proposition for such increase shall first be discussed and voted in the committee of the whole House, and so in respect to the time of its continuance.

73. All proceedings touching appropriation of money shall be discussed in committee of a whole House, and no appropriations of money shall be made except by bill.

74. The rules of proceeding in the House shall be observed in committee so far as the same be applicable.

#### STANDING COMMITTEES.

76. The standing committees shall be as follows, in their order:—

1. A Judiciary Committee No. 1.
2. A Judiciary Committee No. 2.
3. A Committee on Constitutional Amendments.
4. A Committee on Internal Improvements.
5. A Committee on State Affairs.
6. A Committee on Finance.
7. A Committee on Education.

8. A Committee on Public Health, Vital Statistics, and History of Texas.

9. A Committee on Commerce and Manufactures.

10. A Committee on Public Lands and Land Office.

11. A Committee on Federal Relations.

12. A Committee on Agriculture and Stockraising.

13. A Committee on Counties and County Boundaries.

14. A Committee on the Penitentiary.

15. A Committee on Military Affairs.

16. A Committee on Indian Affairs.

17. A Committee on Towns and City Corporations.

18. A Committee on Roads, Bridges, and Ferries.

19. A Committee on Claims and Accounts.

20. A Committee on Public Debt.

21. A Committee to examine Comptroller's and Treasurer's Offices.

22. A Committee on Privileges and Elections.

23. A Committee on Printing.

24. A Committee on Public Buildings and Grounds.

25. A Committee on Private Land Claims.

26. A Committee on Engrossed Bills.

27. A Committee on Enrolled Bills.

28. A Committee on Contingent Expenses.

29. A Committee on Rules.

30. A Committee on State Asylums.

31. A Committee on Revenue and Taxation.

32. A Committee on Insurance and Statistics.

77. The Committee on Engrossed Bills, in addition to their duties as such, are also Committee on Style, and it shall be their duty to see that all bills passed by the House are correct, in style, orthography, punctuation, and in whatever else it is within the province of the committee to correct.

78. It shall be in order for the Committees on Engrossed Bills and Enrolled Bills to report at any time.

79. No committee shall sit during the time the House is in session, without special leave first being granted.

80. A majority of a committee shall constitute a quorum for business; and no report shall be made to the House unless ordered by a majority of such quorum. The views of the minority may be submitted in writing by any member of the committee.

81. As soon as practicable, it shall be the duty of the chairman, or chairman *pro tem.*, of the different committees to

notify the Speaker in writing of the time fixed for the meeting of their respective committees, which information the Speaker shall cause to be posted up in a conspicuous place in the hall as soon as practicable.

82. If, after due notification, the members of any committee fail to meet at the time and place designated, the chairman of such committee may instruct the sergeant-at-arms to arrest and compel the attendance of unexcused absentees.

#### AMENDMENTS TO THE CONSTITUTION.

All amendments proposed to the Constitution shall be subject to the rules that govern the proceedings in bills, except that they shall in all cases be read on three several days, and shall only be passed by a vote of two-thirds of the members elect to the House. (Constitution, Article XVII, Section 1.) When a proposed amendment to the Constitution is under consideration, the votes of a majority of the members present shall be sufficient to decide an amendment thereto, or any collateral or incidental question thereto short of the final question.

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### IMPEACHMENT RULES OF THE SENATE.\*

1. Whensoever the Senate shall receive notice from the House of Representatives that managers are appointed on their part to conduct an impeachment against any person, and are directed to carry articles of impeachment to the Senate, the secretary of the Senate shall immediately inform the House of Representatives that the Senate is ready to receive the managers for the purpose of exhibiting such articles of impeachment, agreeably to said notice.

2. When the managers of an impeachment shall be introduced at the bar of the Senate, and shall signify that they are ready to exhibit articles of impeachment against any person, the presiding officer of the Senate shall direct the sergeant-at-arms to make proclamation, who shall, after making proclamation, repeat the following words, viz.: "All persons are commanded to keep silence, on pain of imprisonment, while the House of Representatives is exhibiting to the Senate of the State of Texas articles of impeachment against ——." After which the ar-

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\*Adopted by the Senate, February 27, 1874.

ticles shall be exhibited, and then the presiding officer shall inform the managers that the Senate will take proper order on the subject of the impeachment, of which due notice shall be given to the House of Representatives.

3. Upon such articles being presented to the Senate, the Senate shall, at twelve o'clock, noon, of the day (Sunday excepted) following such presentation, or sooner, if so ordered by the Senate, proceed to the consideration of such articles, and shall continue in session from day to day (Sundays excepted), after the trial shall commence (unless otherwise ordered by the Senate), until final judgment shall be rendered, and so much longer as may in its judgment be needful.

Before proceeding to the consideration of the articles of impeachment, the presiding officer shall administer the oath hereinafter provided to the members of the Senate then present, and to the other members of the Senate as they appear, whose duty it shall be to take the same.

4. When the Governor of the State, or the Lieutenant-Governor of the State, upon whom the powers and duties of the office of Governor shall have devolved, shall be impeached, the Chief Justice of the Supreme Court of the State of Texas shall preside; and in a case requiring the said Chief Justice to preside, notice shall be given to him, by the presiding officer of the Senate, of the time and place fixed for the consideration of the articles of impeachment, as aforesaid, with a request to attend; and the said Chief Justice shall preside over the Senate during the consideration of said articles, and upon the trial of the person impeached therein.

5. The presiding officer shall have power to make and issue, by himself or by the secretary of the Senate, all orders, mandates, writs, and precepts authorized by these rules or by the Senate, and to make and enforce such other regulations and orders in the premises as the Senate may authorize or provide.

6. The Senate shall have power to compel the attendance of witnesses; to enforce obedience to its orders, mandates, writs, precepts, and judgments; to preserve order, and to punish, in a summary way, contempts of, and disobedience to, its authority, orders, mandates, writs, precepts, or judgments; and to make all lawful orders, rules, and regulations which it may deem essential or conducive to the ends of justice. And the sergeant-at-arms, under the direction of the Senate, may employ such aid and assistance as may be necessary to enforce, execute, and

carry into effect the lawful orders, mandates, writs, and precepts of the Senate.

7. The presiding officer of the Senate shall direct all necessary preparations in the Senate Chamber, and the presiding officer on the trial shall direct all the forms of proceeding while the Senate are sitting for the purpose of trying an impeachment, and all forms during the trial not otherwise specially provided for. And the presiding officer on the trial may rule all questions of evidence, and incidental questions, which ruling shall stand as the judgment of the Senate, unless some member of the Senate shall ask that a formal vote be taken thereon; in which case it shall be submitted to the Senate for decision, or he may, at his option, in the first instance submit any such question to a vote of the members of the Senate.

8. Upon the presentation of articles of impeachment, and the organization of the Senate as hereinbefore provided, a writ of summons shall issue to the accused, reciting said articles, and notifying him to appear before the Senate upon a day and at a place to be fixed by the Senate, and named in such writ, and file his answer to said articles of impeachment, and to stand to and abide the orders and judgments of the Senate thereon; which writ shall be served by such officer or person as shall be named in the precept thereof, such number of days prior to the day fixed for such appearance as shall be named in such precept, either by the delivery of an attested copy thereof to the person accused, or, if that cannot conveniently be done, by leaving such copy at the last known place of abode of such person, or at his usual place of business, or in some conspicuous place therein; or, if such service shall be, in the judgment of the Senate, impracticable, notice to the accused to appear shall be given in such other manner, by publication, or otherwise, as shall be deemed just; and if the writ aforesaid shall fail of service in the manner aforesaid, the proceedings shall not thereby abate, but further service may be made in such manner as the Senate shall direct. If the accused, after service, shall fail to appear, either in person or by attorney, on the day so affixed therefor as aforesaid, or appearing, shall fail to file his answer to such articles of impeachment, the trial shall proceed nevertheless as upon a plea of not guilty. If a plea of guilty shall be entered, judgment may be entered thereon without further proceedings.

9. At twelve o'clock, noon, of the day appointed for the return of the summons against the person impeached, the legislative and executive business of the Senate shall be suspended,

and the secretary of the Senate shall administer an oath to the returning officer in the form following, viz.: "I ———, do solemnly swear that the return made by me upon the process issued on the ——— day of ———, by the Senate of the State of Texas against ———, is truly made, and that I have performed such service as therein described; so help me God." Which oath shall be entered at large upon the records.

10. The person impeached shall then be called to appear and answer the articles of impeachment against him. If he appear, or any person for him, the appearance shall be recorded, stating particularly if by himself, or by agent or attorney, naming the person appearing, and the capacity in which he appears. If he does not appear, either personally, or by agent or attorney, the same shall be recorded.

11. At twelve o'clock, noon, of the day appointed for the trial of an impeachment, the legislative and executive business of the Senate shall be suspended, and the secretary shall give notice to the House of Representatives that the Senate is ready to proceed upon the impeachment of ———, in the Senate Chamber, which chamber is prepared with the accommodations for the reception of the House of Representatives.

12. The hour of the day at which the Senate shall sit upon the trial of an impeachment shall be (unless otherwise ordered) twelve o'clock, noon; and when the hour for such sitting shall arrive, the presiding officer of the Senate shall so announce; and thereupon the presiding officer upon such trial shall cause proclamation to be made, and the business of the trial shall proceed. The adjournment of the Senate sitting in said trial shall not operate as an adjournment of the Senate, but on such adjournment the Senate shall resume the consideration of its legislative and executive business.

13. The secretary of the Senate shall record the proceedings in cases of impeachment, as in the case of legislative proceedings, and the same shall be reported in the same manner as the legislative proceedings of the Senate.

14. Counsel for the parties shall be admitted to appear and be heard upon an impeachment.

15. All motions made by the parties or their counsel shall be addressed to the presiding officer; and if he or any Senator shall require it, they shall be committed to writing and read at the secretary's table.

16. Witnesses shall be examined by one person on behalf of



the party producing them, and then cross-examined by one party on the other side.

17. If a Senator is called on as a witness, he shall be sworn and give his testimony standing in his place.

18. If a Senator wishes a question to be put to a witness, or to offer a motion or order (except a motion to adjourn), it shall be reduced to writing, and put by the presiding officer.

19. At all times, while the Senate is sitting upon the trial of an impeachment, the doors of the Senate shall be kept open, unless the Senate shall direct the doors to be closed while deliberating upon its decisions.

20. All preliminary or interlocutory questions, and all motions, shall be argued for not exceeding one hour on each, unless the Senate shall, by order, extend the time.

21. The case, on each side, shall be opened by one person. The final argument on the merits may be made by two persons on each side (unless otherwise ordered by the Senate, upon application for that purpose), and the argument shall be opened and closed on the part of the House of Representatives.

22. On the final question whether the impeachment is sustained, the yeas and nays shall be taken on each article of impeachment separately; and if the impeachment shall not, upon any of the articles presented be sustained by the votes of two-thirds of the members present, a judgment of acquittal shall be entered; but if the person accused in such articles of impeachment shall be convicted upon any of said articles by the votes of two-thirds of the members present, the Senate shall proceed to pronounce judgment, and a certified copy of such judgment shall be deposited in the office of the Secretary of State.

23. All orders and decisions shall be made and had by yeas and nays, which shall be entered on the record, and without debate, subject, however, to the operation of Rule 7, except when the doors shall be closed for deliberation; and in that case no member shall speak more than once on one question, and for not more than ten minutes on an interlocutory question, and for not more than fifteen minutes on the final question, unless by consent of the Senate, to be had without debate; but a motion to adjourn may be decided without the yeas and nays, unless they be demanded by one-fifth of the members present.

24. Witnesses shall be sworn in the following form, viz.: "You ——— do swear (or affirm, as the case may be), that the evidence you shall give in the case now depending between the State of Texas and ———, shall be the truth, the whole truth,

and nothing but the truth, so help you God," which shall be administered by the secretary, or any other duly authorized person. ♡

*Form of subpoena to be issued on the application of the managers of the impeachment, or of the party impeached, or of his counsel.*

To \_\_\_\_\_, greeting: —

You, and each of you, are hereby commanded to appear before the Senate of the State of Texas, on the — day of —, at the Senate Chamber, in the city of Austin, then and there to testify your knowledge of the cause which is before the Senate, in which the House of Representatives have impeached —. Fail not.

Witness \_\_\_\_\_, and presiding officer of the Senate, at the city of Austin, this — day of —, in the year of our Lord —.

*Form of direction for the service of said subpoena.*

*The Senate of the State of Texas, to \_\_\_\_\_, greeting: —*

You are hereby commanded to serve and return the within subpoena according to law.

Dated at Austin this — day of —, in the year of our Lord —.

\_\_\_\_\_,  
Secretary of the Senate.

*Form of oath to be administered to the members of the Senate sitting in the trial of impeachment.*

I solemnly swear (or affirm, as the case may be) that in all things appertaining to the trial of the impeachment of —, now pending, I will do impartial justice according to the Constitution and laws, so help me God.

*Form of summons to be issued and served upon the persons impeached.*

THE STATE OF TEXAS, SS.

*The Senate of the State of Texas, to \_\_\_\_\_, greeting: —*

WHEREAS, The House of Representative of the State of Texas, did, on the — day of —, exhibit to the Senate articles of impeachment against you, the said —, in the words following: —

[Here insert the articles.]

And demand that you, the said —, should be put to an-

swér the accusations as set forth in said articles, and that such proceedings, examinations, trials, and judgments might be there-upon had as are agreeable to law and justice. ;

You, the said ———, are therefore hereby summoned to be and appear before the Senate of the State of Texas, at their Chamber, in the city of Austin, on the ——— day of ———, at 12 o'clock, noon, then and there to answer to the said articles of impeachment, and then and there to abide by, obey, and perform such orders, directions, and judgments as the Senate of the State of Texas shall make in the premises, according to the Constitution and laws of the State of Texas. Hereof you are not to fail.

Witness ——— and presiding officer of the said Senate, at the city of Austin, this ——— day of ———, in the year of our Lord ———.

*Form of precept to be indorsed on said writ of summons.*

THE STATE OF TEXAS, SS.

*The Senate of the State of Texas to ———, greeting:—*

You are hereby commanded to deliver to and leave with ———, if conveniently to be found, or if not, to leave at his usual place of abode, or at his usual place of business in some conspicuous place, a true and attested copy of the within summons, together with a like copy of this precept, and in whichever way you perform the service, let it be done at least ——— days before the appearance day mentioned in said writ of summons.

Fail not, and make your return of this writ of summons and precept, with your proceedings thereon endorsed, on or before the appearance day mentioned in said writ of summons.

Witness ——— and presiding officer of the Senate, at the city of Austin, this ——— day of ———, in the year of our Lord, ———.

All process shall be served by the sergeant-at-arms of the Senate, unless otherwise ordered by the Court.

25. If the Senate shall at any time fail to sit for the consideration of articles of impeachment on the day or hour fixed therefor, the Senate may, by an order to be adopted without debate, fix a day and hour for resuming such consideration.

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NOTE.—See Article XV of the Constitution, on Impeachment.